

1 C. D. Michel, S.B.N. 144258
cmichel@tmlp.com
2 W. Lee Smith, S.B.N. 196115
lsmith@tmlp.com
3 **TRUTANICH • MICHEL, LLP**
180 E. Ocean Blvd., Suite 200
4 Long Beach, CA 90802
Telephone: (562) 216-4444
5 Facsimile: (562) 216-4445
6 Attorneys for Defendants
Action Metal Recycling, Inc.
7

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10

11 Communities for a Better
12 Environment, a California non-profit
corporation,

13 Plaintiff,

14 v.

15 Action Metal Recycling, Inc., a
16 California corporation,

17 Defendant.
18

CASE NO: C07-02768 JCS

**STIPULATION TO EXTEND TIME
FOR FILING RESPONSIVE
PLEADING**

*Pursuant to Fed. R. Civ. P. 6(b)(1),
Local Rule 6-1.*

Magistrate Judge: Joseph C. Spero

(Federal Water Pollution Control Act, 33
U.S.C. §§ 1251 et seq.)

19 IT IS HEREBY STIPULATED by and between the parties, through their
20 respective attorneys of record, that Plaintiff Communities for a Better Environment
21 (“Plaintiff”) and Defendant Action Metal Recycling, Inc. (“Defendant”), hereby
22 stipulate and agree as follows:

23 WHEREAS, Plaintiff filed its Complaint against Defendant on May 25, 2007;

24 WHEREAS, Plaintiff served the Complaint on Defendant on July 13, 2007;

25 WHEREAS, Plaintiff and Defendant are engaged in settlement negotiations
26 and require additional time to continue such negotiations;

27 WHEREAS, the Defendant desires additional time to prepare and file
28 responsive pleading to allow settlement negotiations to continue;

1 WHEREAS, the parties previously stipulated to extend the deadline for filing
2 responsive pleading to August 31, 2007; and

3 WHEREAS the parties desire to extend the date by which Defendant must file
4 responsive pleading.

5 NOW, THEREFORE, BASED ON THE FOREGOING FACTS, THE
6 PARTIES HEREBY STIPULATE THAT:

7 1. The Defendant's last day to file responsive pleading to the Complaint is
8 extended to September 28, 2007.

9 IT IS SO STIPULATED AND AGREED.

10 DATED: August 30, 2007

**COMMUNITIES FOR A BETTER
ENVIRONMENT**

11
12
13 /s/
Philip Huang
14 Counsel for Plaintiff

15
16 DATED: August 30, 2007

TRUTANICH • MICHEL, LLP

17
18 /s/
19 W. Lee Smith
Counsel for Defendants

20
21 DATED: _____, 2007

22
23
24 _____
25 Honorable Joseph C. Spero
United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Communities for a Better
Environment, a California non-profit
corporation,

Plaintiff,

v.

Action Metal Recycling, Inc., a
California corporation,

Defendant.

CASE NO: C07-02768 JCS
CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

**STIPULATION TO EXTEND TIME FOR FILING
RESPONSIVE PLEADING**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Philip Huang
Counsel for Plaintiff
E-Mail: phuang@cbeocal.org

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 30, 2007.

/s/W. Lee Smith
W. Lee Smith
Counsel for Defendant